

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(03-1070 (400.139))



In re the Application of: McSwiggen et al.	)	Group Art Unit: 1645
	)	
Serial No: 10/727,780	)	Examiner: TBA
	)	
Filed: December 3, 2003	)	Confirmation No.: 7111
	)	
For: Inhibition of Gene Expression Using	)	
Duplex Forming Oligonucleotides	)	

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Sir/Madam:

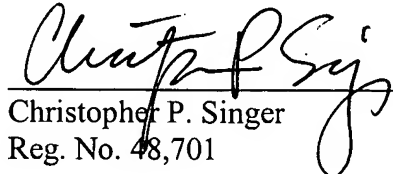
The undersigned representative hereby declares that the content of the substitute electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and substitute computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. §§ 1.825(b) and 1.821(e), are identical in content. The substitute sequence listing, submitted herewith, does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "~~Substitute~~ <sup>CPS</sup> CRF of Sequence Listing submitted under 37 C.F.R. §§ 1.825(b) and 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "**MBHB03-1070SequenceListing**".

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Dated: October 4, 2004

By:

  
Christopher P. Singer  
Reg. No. 48,701